

1 JON D. MEER (State Bar No. 144389)
jmeer@seyfarth.com
2 SIMON L. YANG (State Bar No. 260286)
syang@seyfarth.com
3 **SEYFARTH SHAW LLP**
4 2029 Century Park East, 35th Floor
5 Los Angeles, California 90067-3021
Telephone: (310) 277-7200
Facsimile: (310) 201-5219

6 LORIE E. ALMON (*admitted pro hac vice*)
lalmon@seyfarth.com

7 **SEYFARTH SHAW LLP**
620 Eighth Avenue, 32nd Floor
8 New York, New York 10018
9 Telephone: (212) 218-5500
Facsimile: (212) 218-5526

10 Attorneys for Defendant
11 THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

WESTERN DIVISION

15 DOMINIQUE OSBORNE, on her own
16 behalf on behalf of a class of similarly
17 situated persons pursuant to F.R.C.P.
23 and U.S.C. 216, and on behalf of
the General Public,

18 Plaintiffs.

19

20 THE PRUDENTIAL INSURANCE
21 COMPANY OF AMERICA, a New
Jersey Corporation,

22 Defendant.

Case No. CV10-2465 JFW (CWx)

The Hon. John F. Walter

**STIPULATION FOR DISMISSAL
WITH PREJUDICE**

Complaint Filed: April 5, 2010
Discovery Cutoff: March 1, 2011
Motion Cutoff: March 28, 2011
Pre-Trial Conf.: May 6, 2011
Trial Date: May 24, 2011

1 The parties, Plaintiff Dominique Osborne (“Plaintiff”), and Defendant The
2 Prudential Insurance Company of America (“Defendant”), through their respective
3 counsel of record, HEREBY STIPULATE as follows:

4 1. Defendant filed a Motion for Summary Judgment as to Plaintiff’s
5 single remaining cause of action for violation of the Fair Labor
6 Standards Act (“FLSA”) 29 U.S.C. § 201 *et seq.*, which was set for
7 hearing on December 6, 2010;
8 2. Defendant’s Motion for Summary Judgment shows that there is no
9 triable issue of material fact as to any claim for violation of the FLSA,
10 29 U.S.C. § 201 *et seq.*, alleged by Plaintiff in this lawsuit or that
11 could have been alleged by Plaintiff in this lawsuit;
12 3. Defendant’s Motion for Summary Judgment shall be granted against
13 Plaintiff and judgment shall be entered in favor of Defendant in this
14 matter;
15 4. The judgment in favor of Defendant shall dismiss the above-captioned
16 lawsuit with prejudice;
17 5. Plaintiff waives any appeal as to any prior rulings of the Court in this
18 matter;
19 6. Defendant shall recover its reasonable costs of suit, as provided by
20 law; and

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 7. Plaintiff and Defendant shall each be responsible for payment of their
2 own attorneys' fees.

3 SO STIPULATED:

5 DATED: November 24, 2010

TEEPLE HALL, LLP

7 By: /s/ Jason Black
8 JASON BLACK
9 Attorneys for Plaintiff
10 DOMINIQUE OSBORNE

11 DATED: November 24, 2010

SEYFARTH SHAW LLP

13 By: /s/ Simon L. Yang
14 SIMON L. YANG
15 Attorneys for Defendant
16 THE PRUDENTIAL INSURANCE
17 COMPANY OF AMERICA